

# HOUSE BILL 1555

E1, D3

8lr0823

---

By: **Delegate Reilly**

Introduced and read first time: February 9, 2018

Assigned to: Health and Government Operations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Interception of Oral Communications – Medical Information – One-Party**  
3 **Consent**

4 FOR the purpose of establishing that it is lawful under certain circumstances for a patient,  
5 or certain other individuals with the knowledge and consent of a patient, to intercept  
6 certain oral communications with a health care practitioner under certain  
7 circumstances; defining a certain term; and generally relating to the interception of  
8 oral communications.

9 BY adding to

10 Article – Courts and Judicial Proceedings  
11 Section 10–402(c)(12)  
12 Annotated Code of Maryland  
13 (2013 Replacement Volume and 2017 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
15 That the Laws of Maryland read as follows:

16 **Article – Courts and Judicial Proceedings**

17 10–402.

18 (c) (12) (I) IN THIS PARAGRAPH, “HEALTH CARE PRACTITIONER”  
19 MEANS A PERSON WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED  
20 UNDER THE HEALTH OCCUPATIONS ARTICLE TO PROVIDE HEALTH CARE SERVICES  
21 IN THE ORDINARY COURSE OF BUSINESS OR PRACTICE OF A PROFESSION.

22 (II) IT IS LAWFUL UNDER THIS SUBTITLE FOR A PATIENT, OR,  
23 WITH THE PATIENT’S KNOWLEDGE AND CONSENT, A PATIENT’S FAMILY MEMBER,  
24 GUARDIAN, OR CARETAKER, TO INTERCEPT AN ORAL COMMUNICATION WITH A

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 HEALTH CARE PRACTITIONER WHILE DISCUSSING MATTERS IN ANTICIPATION OF  
2 THE DISCHARGE OF THE PATIENT RELATED TO THE PATIENT'S CARE.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2018.